

ORIGINAL

OPEN MEETING AGENDA ITEM



BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

**COMMISSIONERS**

**SUSAN BITTER SMITH, Chairman**

**BOB STUMP**

**BOB BURNS**

**TOM FORESE**

**DOUG LITTLE**

**DOCKETED**

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AZ CORP COMMISSION  
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IN THE MATTER OF THE APPLICATION  
OF SALT RIVER PROJECT  
AGRICULTURAL IMPROVEMENT AND  
POWER DISTRICT, IN CONFORMANCE  
WITH THE REQUIREMENTS OF  
ARIZONA REVISED STATUTES,  
SECTIONS 40-360, et seq., FOR A  
CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AUTHORIZING THE  
PRICE ROAD CORRIDOR PROJECT, NON-  
GILA RIVER INDIAN COMMUNITY  
PORTION LOCATED IN THE CITY OF  
CHANDLER, ARIZONA OR WITHIN  
MARICOPA COUNTY.

Docket No. L-00000B-15-0059-00170

Case No. 170

**APPLICANT'S RESPONSE TO ARIZONA  
COMMUNITIES UNITED'S MOTION  
FOR INTERVENTION**

Applicant, the Salt River Project responds to the *Request for Intervention* filed by N. Laine Schoneberger. The document seeks intervenor status for Mr. Schoneberger personally and on behalf of an organization called Arizona Communities United.

This matter is before the Commission upon review of the CEC issued by the Siting Committee. The statutes allow intervention at the level of the Siting Committee. The intervention period and the hearings themselves are closed. We are at the point in the process where the Commission deliberates, based on the record developed at the Siting Committee, and makes a decision on the CEC issued by the Committee.

While the Commission allows public comment, there is no process in which to intervene. Mr. Schoneberger cites to Rule R-14-3-105. This is the process for intervention in hearings held before the Commission. It does not apply here.

The proper rule is R-14-3-204, which is the rule that applies to proceedings before the Siting Committee. This rule requires the filing of a written request to be a party 10 days before the start of the hearings. While intervention may be granted by the Committee Chair at a later

1 date, certainly this latitude does not extend to a hearing that has concluded and where a final order  
2 has been issued.

3 For these reasons SRP respectfully requests that the request for intervention be denied.

4 RESPECTFULLY SUBMITTED this 15<sup>th</sup> day of May, 2015.

5 JENNINGS, STROUSS & SALMON, P.L.C.

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9 AND

10 Robert Taylor  
11 Salt River Project Agricultural Improvement  
and Power District  
12 Regulatory Policy, PAB 221  
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14 ORIGINAL and twenty-five copies  
of the foregoing filed this 15<sup>th</sup> day of  
15 May, 2015, with:

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18 COPY of the foregoing sent via email  
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18 A COURTESY COPY of the foregoing  
sent via email and U.S. Mail, postage prepaid,  
19 this 15<sup>th</sup> day of May, 2015 to:

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23 By Michele Maser